

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF FIDELITY EXPLORATION & PRODUCTION COMPANY FOR AN ORDER MODIFYING THE SERIES OF CAUSE No. 196 ORDERS AND AUTHORIZING THE FLARING OF GAS IN EXCESS OF THE AMOUNTS ALLOWED UNDER UTAH ADMIN. CODE RULE R649-3-20(1.1) ON A UNIT-WIDE BASIS FOR THE CANE CREEK FEDERAL EXPLORATORY UNIT, LOCATED IN PORTIONS OF TOWNSHIPS 25 AND 26 SOUTH, RANGES 18 THROUGH 20 EAST, SLM, GRAND AND SAN JUAN COUNTIES, UTAH.

NOTICE OF HEARING

Docket No. 2013-011
Cause No. 196-44

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on **WEDNESDAY, MAY 28, 2014, at 9:00 AM**, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. and as provided for in Utah Code Ann. § 40-6-1 et seq. and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the hearing will be for the Board to receive testimony and evidence regarding a Supplemental Request for Agency Action that the Board enter an Order:

1. Extending and modifying the authorization under the Board's Order entered in this Cause on May 9, 2013 for Fidelity or its successor(s) as operator of the Cane Creek Federal Exploratory Unit, to flare gas on a Unit-wide basis, with an aggregate rate limitation of 4,000 MCFPD and an individual well rate limitation of 775 MCFPD, through December 31, 2014 or the completion, commissioning and placing into permanent service of the Dead Horse Lateral Pipeline and Processing Plant and connection of individual wells through the gas gathering system, whichever occurs first; and
2. Providing for such other and further relief as may be just and equitable under the circumstances.

Objections to the Supplemental Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than the 10th day of the month, or two weeks before the scheduled hearing, whichever is earlier. A party must file a timely written objection or other response in order to participate as a party at the Board hearing. Failure to participate can result in a default judgment.


Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Supplemental Request for Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned, and inspected online at the Utah Board of Oil, Gas and Mining's website at <http://ogm.utah.gov/amr/boardtemp/redesign/books.html>.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 30th day of April, 2014.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
Ruland J. Gill, Jr., Chairman


/s/ Julie Ann Carter
Board Secretary
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116
(801) 538-5277

CERTIFICATE OF PUBLISHED NOTICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2013-011, Cause No. 196-44 to be PUBLISHED in the following newspapers on the following days:

May 4, 2014:

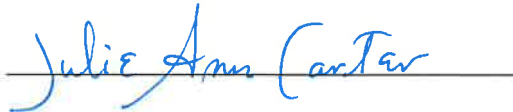
The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

May 7, 2014:

San Juan Record, a newspaper of general circulation in San Juan County.

May 8, 2014:

The Times-Independent, a newspaper of general circulation in Emery, Grand, and San Juan Counties.



CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **NOTICE OF HEARING** for Docket No. 2013-011, Cause No. 196-44, to be mailed with postage prepaid, via E-mail or First Class Mail, this 1st day of May, 2014, to the following:

MacDONALD & MILLER
MINERAL LEGAL SERVICES, PLLC
Frederick M. MacDonald, Esq.
Attorney for Fidelity Exploration & Production
Company
7090 S. Union Park Ave., Ste. 400
Salt Lake City, Utah 84047

Michael J Keller
Environmental Affairs Manager
Fidelity Exploration & Production Company
1801 California St Suite 2500
Denver CO 80202

Mike Johnson
Assistant Attorney General
Department of Natural Resources
the Board of Oil, Gas, and Mining
1594 West North Temple, Suite #300
Salt Lake City, UT 84114
[Via E-mail]

Steven F. Alder
Douglas J. Crapo
Assistant Attorney General
Department of Natural Resources
Attorneys for the Division of Oil, Gas, and
Mining
1594 West North Temple, Suite #300
Salt Lake City, UT 84114
[Via E-mail]

P. L. Ackerman Trust
P.O. Box 1250
Casper, WY 82602

The Esperanza Corporation
475 17th St., #980
Denver, CO 80202

XTO Energy, Inc.
Attn: Paul L. Keffer
810 Houston St.
Fort Worth, TX 76102

Elizabeth W. Alford
P.O. Box 489
McComb, MS 39649-0489

Front Range Energy Investors LLC
Attn: Land Department
324 Garden Street
Golden, CO 80403

Aspect Energy LLC
Attn: Land Dept.
1775 Sherman St., #2400
Denver, CO 80203

Chevron USA Inc.
Attn: NOJV Land Department – Corey Wilson
P.O. Box 2100
Houston, TX 77252

QEP Energy Company
Attn: Jennifer Bates
1050 17th St., Ste. 500
Denver, CO 80265

Richard N. Frommer
2215 Wingate Lane
Billings, MT 59102

James D. Brownlie
475 17th St., #980
Denver, CO 80202

Burlington Resources Oil & Gas Company LP
Attn: Land Dept.
3300 N. A St., Bldg. 6-100
Midland TX 79705

Emily Carlisle
P.O. Box 1908
McComb, MS 39649-1908

State of Utah School and Institutional Trust
Lands Administration
Attn: Lavonne Garrison
675 East 500 South, Suite 500
Salt Lake City, UT 84102

The Leo B. Helzel and Florence Helzel Living
Trust Leo B. and Florence Helzel, Trustees
c/o Benson Mineral Group Incorporated
1560 Broadway, Suite 1900
Denver, CO 80202

Hexad Oil Company
Attn: Land Department
201 W. Wall Street, Suite 800
Midland, TX 79701

Dale L. Schwarzhoff
c/o Benson Mineral Group, Inc.
1560 Broadway, #1900
Denver, CO 80202

Freille-II
Attn: Land Department
324 Garden Street
Golden, CO 80403

Benson Mineral Group Inc.
Attn: Land Dept.
1560 Broadway, Ste. 1900
Denver, CO 80202

A.G. Andrikopoulos Resources, Inc.
P.O. Box 788
Cheyenne, WY 82003-0788

W. E. Haley
621 17th St., # 2501
Denver, CO 80293

Hugh E. Harvey, Jr.
2142 S. Holland Street
Lakewood, CO 80227-2269

Eric H. Conrad
3715 N. Hullen St.
Metairie, LA 70006

Mark S. and Janet K. Dolar
Dolar Oil Properties
3033 Coral Strip Pkwy.
Gulf Breeze, FL 32563-2773

Elise A. Lambuth
5455 Briarfield Rd.
Jackson, MS 39211

Ronald F. Lee
4418 Hillbrook Dr.
Orange, TX 77632

High Plains Energy Company
c/o Lou Oswald
P.O. Box 280969
Lakewood, CO 80228-0969

Trachyte Oil Company
Attn: Land Department
P.O. Box 11206
Salt Lake City, UT 84147

IRW Holding Company, LLC
Attn: Land Department
700 Louisiana, Suite 1100
Houston, TX 77002

Dan Rodger Dubitsky
(no valid address disclosed)

Newfield Production Company
Attn: Land Department
1001 17th Street, Suite 2000
Denver, CO 80202

Kab Acquisition Fund, L.P.
Attn: Land Department
410 17th St., #1151
Denver, CO 80202

Jane Ann Dubitsky
(no valid address disclosed)

Thomas P. Powers
P.O. Box 1221
Williston, ND 58802

HHK – Wilcox Company, Inc.
c/o Benson Mineral Group Incorporated
Attn: Land Department
1560 Broadway, Suite 1900
Denver, CO 80202

Katherine A. Swaney
10106 Dogwood Ave.
Palm Beach Gardens, FL 33410

Long Canyon LLC
Attn: Land Department
1775 Sherman St., #2400
Denver, CO 80203

Elliott A. Riggs
P.O. Box 711
Farmington, NM 87499-0711

Morenergy Exploration Company
Attn: Land Department
410 17th Street, #1150
Denver, CO 80202

Robert P. Jornayvaz III
707 17th St., Suite 4200
Denver, CO 80202-3432

Mary Gail Dubitsky
(no valid address disclosed)

Powers Energy Corporation
Attn: Land Department
P.O. Box 1221
Williston, ND 58802

Mary L. Kammerer
8205 E. Lakeview Dr.
Parker, CO 80134-5912

Key Production Company, Inc.
Attn: Land Department
15 E 5th St., #1000
Tulsa, OK 74103

Susan S. Arbuckle
(no valid address disclosed)

Intrepid Oil & Gas LLC
Attn: Land Department
707 17th St., #4200
Denver, CO 80202

Ben Donegan
3513 Georgia NE
Albuquerque, NM 87110

The W. Clifton Arbuckle Trust
410 17th St., #1180
Denver, CO 80202

Republic Properties
Attn: Land Department
P.O. Box 2154
Appleton, WI 54913

Leland A. Hodges
306 W. 7th St., #701
Ft. Worth, TX 76102

S. Kay Arbuckle
(no valid address disclosed)

John A. Kochergen
8163 W. McKinley Ave.
Fresno, CA 93723

Michael C. and Kathryn N. Donegan
4898 Country Road 153
Bluff Dale, TX 76433

Gasconade Oil Company
410 17th St., Ste. 1180
Denver, CO 80202

Frederick B. Safford
6849 S. Niagara Court
Englewood, CO 80112

Kathryn Camille Arbuckle
(no valid address disclosed)

Altrogge Resources
c/o Judy A. Harrer
15899 W. Ellsworth Dr.
Golden, CO 80401

H. F. Boles
P.O. Box 2021
Midland, TX 79702

Lois Ann Cullen
(no valid address disclosed)

Estate of Albert Britz
David and Martin Britz, Suscr Adm
P.O. Box 9050
Fresno, CA 93790

Leonard Mineral Company
P.O. Box 1718
Ft. Worth, TX 76101

IPERC Royalty Fund
Attn: Land Department
4834 S. Highlands Dr., #200
Salt Lake City, UT 84117

Bruce C. Martens
P.O. Box 2028
Wickenburg, AZ 85358-2028

Roy Dubitsky Trust
2850 Classic Dr., Unit 2814
Highlands Ranch, CO 80126

Charles W. Peck
95024 Mt. Highway 2
Three Forks, MT 59752

Panan Energy Inc.
Attn: Land Department
P.O. Box 1718
Ft. Worth, TX 76101

Marilyn T. Williams
203 Lombardy Rd.
Memphis, TN 38111

Marshall & Winston, Inc.
Attn: Land Department
P.O. Box 50880
Midland, TX 79710-0880

VML Resources Inc.
Attn: Land Department
P.O. Box 1718
Ft. Worth, TX 76101

Darleen J. Freitas
11942 S. Bluff View Dr.
Sandy, UT 84092

Lawrence E. Monley Family, LLC.
1290 High St., Unit C
Denver, CO 80218

Westar Oil & Minerals
Attn: Land Department
P.O. Box 1990
Lee's Summit, MO 64063

Andover Partners
Attn: Land Department
700 Louisiana, Suite 1100
Houston, TX 77002

Nolan, LLC
14 Calle Del Sol
Placitas, NM 87043

Palmetto Partnership
Attn: Land Department
P.O. Box 113190
Metairie, LA 70011-3190

Greenville Partners
Attn: Land Department
P.O. Box 50612
Midland, TX 79710

Panoramic Energy Inc.
Attn: Land Department
7900 Monticello Drive
Granbury, TX 76049

Frank D. Werner
3975 S. US Highway 89
Jackson, WY 83001

Merrion Oil & Gas Corp.
Attn: Land Department
610 Reilly Ave.
Farmington, NM 87401-2634

Elzalene Sullivan
P.O. Box 1001
Ft. Lauderdale, FL 33302

Walter K. Arbuckle Trust
410 17th Street, Suite 1180
Denver, CO 80202

Charles B. Greene
6932 S. Niagara Ct.
Centennial, CO 80112-1015

Bureau of Land Management
Moab Field Office
Attn: Eric Jones
82 East Dogwood
Moab, UT 84532

Bureau of Land Management
Utah State Office
Attn: Roger Bankert
440 West 200 South, Suite 500
Salt Lake City, UT 84101

D B Zwirn Special Opportunities Fund LP
1345 Avenue of The Americas, 46th Fl.
New York, NY 10105

Dale L. Schwarzhoff
1560 Broadway, Suite 1900
Denver, CO 80202

Clear Creek Royalty & Land Ltd.
P.O. Box 52288
Midland, TX 79710

JK Royalty LP
P.O. Box 974349
Dallas, TX 75397

Priority Gas Partners LP
P.O. Box 10158
Midland, TX 79702

Midtex Royalty LP
P.O. Box 50174
Midland, TX 79710

Noble Royalties Access Fund IV LP
P.O. Box 660082
Dallas, TX 75266

Dan Rodger Dubitzky
321 High School Road NE, D3 394
Beinbridge Island, WA 98110-2648

Jane Ann Dubitzky
520 South 5th St.
Bozeman, MT 59715

Drawbridge Special Opportunities Fund LP
1345 Ave of the Americas, 46th Fl.
New York, NY 10105

Petrus Fund LP
2300 Plano Parkway
Plano, TX 75075

Bruno & Marshall Investments
P.O. Box 590
Midland, TX 79702

Dry Creek Investments
P.O. Box 50505
Midland, TX 79710

Hexagon Interim Partnership
P.O. Box 52268
Midland, TX 79710

MBR Oil & Gas #1 Ltd.
P.O. Box 513
Midland, TX 79702

Texas Land & Royalty Co. Ltd.
P.O. Box 52267
Midland, TX 79710

Cross Timbers Energy, LLC
400 West 7th St.
Fort Worth, TX 76102

Mary Gail Dubitzky
3028 Shetland Dr.
Pleasant Hill, CA 94523

